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NEW CANAAN CT 06840

In re Application of
Edith H. STERN, et al.
Application No. 10/040,231
Filed: January 2, 2002
For: **SYSTEMS, METHODS, AND
APPARATUS FOR MONITORING A
CONTAINER ASSOCIATED WITH AN ITEM**

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: DECISION ON PETITION
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This is a decision on the Petition to Withdraw Erroneous Notice of Abandonment filed January 5, 2005, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner and effective manner to the Office communication mailed May 5, 2004. A Notice of Abandonment was mailed December 14, 2004.

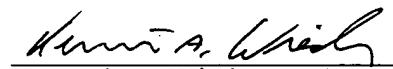
Petitioner alleges to have timely filed a response to said Office communication on July 22, 2004. In support thereof, Petitioner provided evidence in the way of a copy of the response filed July 22, 2004 which included a date stamped post card receipt which itemizes the receipt of an amendment on July 22, 2004.

A review of the file records reveals that the original amendment filed on July 22, 2004 has been located and matched with the file.

In view of the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused petitioner is regretted.

The petition is **GRANTED**.

The file will be forwarded to the Technology Center's technical support staff for entry of the amendment filed July 22, 2004. From there, the file will be forwarded to the examiner for consideration in due course.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications